

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

v.

CHUCK ARLAND MCFADDEN,

Movant.

No. 2:99-cr-432-WBS-EFB
2:13-cv-2415-WBS-EFB

ORDER

Movant, a federal prisoner proceeding pro se, has filed a motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 30, 2014, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Neither party has filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED that:

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- 1 1. The findings and recommendations filed January 30, 2014, are adopted in full;
- 2 2. Movant's second motion (ECF No. 64), filed pursuant to 28 U.S.C. § 2255, is denied
- 3 without prejudice for lack of jurisdiction;
- 4 3. The Clerk is directed to close the companion civil case, No. 2:13-cv-2415-WBS-EFB;
- 5 and
- 6 4. The court declines to issue a certificate of appealability.

7 Dated: March 7, 2014

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9 WILLIAM B. SHUBB
10 UNITED STATES DISTRICT JUDGE
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